

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40518 of 2026

Arising Out of PS. Case No.-143 Year-2023 Thana- HARLAKHI District- Madhubani

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1. Hari Modi @ Hari Kishor Prasad S/o Ramnarayan Sah R/o vill - Hatbariya, P.S.- Harlakhi, Distt.- Madhubani
 2. Shambhu Samrat @ Shambhu Shamrat S/o Ramnarayan Sah R/o vill - Hatbariya, P.S.- Harlakhi, Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Steephen Jonson S/o Late Masilamani Steephen Chetiyar R/o vill - Jaynagar, P.S.- Jaynagar, Distt.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 471, 406, 379, 504, 506, 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and from perusal of allegations as alleged in the FIR, it would manifest that on account of dispute relating to school, the occurrence is alleged to have taken place. It is submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent, thus submitted final form exonerating the petitioners of the allegations but



then the learned Magistrate differing with the police report took cognizance. It is next submitted that when one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegations.

4. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Harlakhi P.S. Case No. 143 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

6. The application stands allowed.

(Satyavrat Verma, J)

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